

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5663 of 2019**

- Pradyumn Meher Son Of Chhinu Meher Aged About 53 Years Resident Of Village Chichemuda, Thana- Junagad, District- Kalahandi (Odisha).

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station- Basna, District- Mahasamund, Chhattisgarh.

---- Respondent

For Applicant	: Shri Vikas Pradhan, Advocate.
For Respondent/State	: Shri Ajay Kumrani, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**09/09/2019**

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 69/2018, registered at Police Station – Basna, District – Mahasamund, Chhattisgarh, for the offence punishable under Section 20(B) II (C) of NDPS Act.
2. As per the prosecution story, on 12.02.2018, on the basis of information received from an informant, police personnel searched one vehicle bearing registration number CG-04-HB-0762 which was driven by co-accused namely Purandar Manjhi. Present Applicant was also found sitting inside the said vehicle. On being searched total 36.500 kg of contraband 'ganja' has been seized from the joint possession of present Applicant and co-accused Purandar Manjhi. On the basis of the said, offence has been registered and Applicant has been taken into custody on 12.02.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the

Applicant is innocent and has been falsely implicated in the case. He further submits that mandatory provisions of the Act has not been complied with. He also states that seizure witnesses have already been examined and they have not supported the case of the prosecution. Co-accused Purandar Manjhi has already been granted bail by this Court vide order dated 17.07.2019 passed in MCRC No. 3942/2019. Applicant is in custody since 12.02.2018, charge-sheet has been filed and trial is likely to take some time. Therefore, he may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that co-accused Purandar Manjhi has already been granted bail by this Court vide order dated 17.07.2019 passed in MCRC No. 3942/2019, Applicant is in custody since 12.02.2018 and trial is likely to take some time, without further commenting on other merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 4,00,000/- with two local solvent sureties each of Rs. 2,00,000/- to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-

(Arvind Singh Chandel)
Judge

